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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,101	12/20/2001	Clifford Lee Hannel	AP3545US	8647

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 03/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/019,101	<b>Applicant(s)</b> HANNEL ET AL.	
	<b>Examiner</b> Etienne P LeRoux	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

### *Continued Examination*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/3/2006 has been entered.

### *Claim Status*

Claims 1-14 are pending. Claims 1-14 are rejected as detailed below.

### *Specification*

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. Embedded hyperlinks appear on at least pages 18, 19, 82 and 118.

### *Abstract*

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 includes “an interface apparatus” in the preamble. The specification does not contain a clear and concise description of the manner and process of making an “interface apparatus” such that a skilled technician can make and use the invention. Examiner searched the specification and did not find a single reference to “an interface apparatus.”

Claim 1 recites “an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row.” The specification does not contain a clear and concise description of the manner and process of making an “information source” such that a skilled technician can make and use the invention. Examiner searched the specification and found the only reference to an “information source” under the heading of “Dossiers.” It is unclear whether “Dossiers” relates to the claimed invention.

Claim 1 recites “virtual database service.” The specification does not contain a clear and concise description of the manner and process of making the claimed “virtual database service.” As best examiner is able to ascertain the following description taken from the first paragraph of page 99, is the best description of the claimed “virtual database service.”

FIG. 54 shows virtual relational database system 5401 with VDB service 3813 and virtual relational database table 5411. Virtual relational database table 5411 does not really exist, but appears to exist to the applications that make queries on it. From the application’s point of view application, virtual relational database table 5411 works exactly like a real relational database table 5411. Virtual relational database table 53411 appears to include some number of virtual rows 5413 (0 ... q), each of which has a number of fields 5415 (0 ... p). When a user makes a query on virtual table 5411, the query’s WHERE clause determines which of the rows 5413 is selected and the SELECT clause determine which fields 5415 of the selected rows are returned.

The following discrepancies in the above disclosure immediately become apparent. Virtual database service (VDB) 3813 is not included in FIG. 54. Therefore, it is not possible to determine exactly what comprises a virtual database service.

Claim 1 recites “the virtual database service comprising the virtual database table wherein the virtual database table comprises one or more rows each of the one or more rows comprising one or more fields.” The specification does not contain a clear and concise description of the manner and process of making the claimed “virtual database table” such that a skilled artisan can make and use the invention. As best examiner is able to ascertain the above description taken from the first paragraph of page 99, is the best description of the claimed “virtual database table.” The skilled artisan would not know how to make a virtual database

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table does not really exist nevertheless, works exactly like a real relational database table 5411. The real relational database table 5411 is not included in FIG. 54 and therefore a skilled artisan would not know how to make a virtual database table exactly like a non-existing real database table. Furthermore, the specification states the virtual database table 5411 appears to include some number of virtual rows. The skilled artisan would not know how to make a virtual database table that **appears** (emphasis added) to include some number of **virtual** (emphasis added) rows.

Claims 2-14 are rejected for at least being dependent from a rejected base claim.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,634,053 issued to Noble et al (hereafter Noble).

#### Claim 1:

Noble discloses:

a virtual database service [col 4, line 63 through col 5, line 3], the virtual database service comprising the virtual database table [col 5, lines 18-25], wherein the virtual database table comprises one or more rows records, col 5, line 20], each of the one or more rows comprising one or more fields [col 5, line 21],

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an information source for the information to be provided in response to the query, the query comprising a field name and an indication of manner for selecting a row [col 5, line 60 – col 6, line 15],

wherein the virtual database service is configured to receive the query, respond to the field name and the indication of the manner for selecting a row as required to obtain the information to be provided from the information source, and providing the information as a value of the field indicated by the field name in the selected row in response to the query col 5, line 60 – col 6, line 15]

Claim 2:

Noble discloses a manner of selecting a row includes a selection value; and the information source provides a component of the information to be provided in response to a match between the selection value and a pattern that matches a plurality of values and is accessible to the information source [col 10, lines 20-25]

Claim 4:

Noble discloses the information source is an access evaluator which determines whether a user may have access to an information resource; the manner of selecting the row includes information from which the user and the information resource may be determined; and the provided information includes an indication of whether the user determined from the information may access the information resource determined therefrom [col 12, lines 48-55]

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of The Coldfusion 4.0 Web Application Construction Kit, Third Edition by Ben Forta, Nate Weiss, Michael Dinowitz, Ashley King and Davis Crawford (hereafter Forta), Published December 23, 1998.

**Claim 3:**

Noble discloses the elements of claim 1 as noted above but does not disclose wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query. Forta discloses wherein the query is an SQL query addressing the database



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table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query [Listing 8.6 and Fig 8.20]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include wherein the query is an SQL query addressing the database table; the field name is contained in a SELECT clause in the query; and the indication of the manner of selecting a row is contained in a WHERE clause in the query as taught by Forta for the purpose of selecting a table and filtering out the rows which are not of interest.

Claims 5-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of US Pat No 5,504,890 issued to Sanford (hereafter Sanford).

Claim 5:

Noble discloses the elements of claim 1 as noted above but does not disclose the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined. Sanford discloses the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the

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access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined [collaboration amongst contributors, col 2, lines 11-23]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include the access evaluator determines whether the user may have access to the information resource by considering one or more access policies, each access policy indicating whether a user group may have access to a set of information resources and access by the user to the information resource being allowed when the access policies for the user groups to which the user belongs and the sets of information resources to which the information resource belongs so indicate; and the manner of selecting the row contains membership information about the user from which membership of the user in a user group may be determined as taught by Noble for the purpose of controlling access such data consistency can be maintained.

Claim 6:

The combination of Noble and Sanford discloses the elements of claims 1 and 5 as noted above and furthermore discloses the access evaluator uses the membership information to determine membership of the user in a user group [Sanford: Fig 8, col 12, lines 4-16].

Claim 7:

The combination of Noble and Sanford discloses the elements of claims 1, 5 and 6 as noted above and furthermore discloses the access evaluator determines that there may be a user group such that membership in the user group would give the user access to the information resource; and the provided information indicates a method of providing further information about

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the user in a further query from which the user's membership in the user group can be determined [Sanford: collaboration identification, col 7, lines 20-23].

Claim 8:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-7 as noted above and furthermore discloses the further information includes authentication information which may be used to validate the user's identity [Sanford: collaboration identity, col 7, lines 20-23].

Claim 9:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-8 as noted above and furthermore discloses an additional information source that is an authenticator, the authenticator using the authentication information to validate the user's identity [Sanford: another collaboration identification, col 12, lines 35-41].

Claim 10:

The combination of Noble and Sanford discloses the elements of claims 1 and 4-9 as noted above and furthermore discloses the response to the further query provides an indication whether the user's identity is valid [Sanford: Fig 8, col 12, lines 4-17].

Claim 12:

The combination of Noble and Sanford discloses the elements of claims 1, 4 and 5 as noted above and furthermore discloses an additional information source that is an authenticator which validates the identity of the user; the authenticator uses the membership information to validate the identity of the user; the access evaluator determines membership of the user in a user

group only after the authenticator has validated the user's identity [Sanford: Fig 4, 125 collaboration number, col 7, lines 15-20].

Claim 13:

The combination of Noble and Sanford discloses the elements of claims 1 and 4 as noted above and furthermore discloses an additional information source that is an authenticator which validates an identity of the user; the manner of selecting the row includes authentication information which the authenticator uses to validate the user's identity; and the provided information is obtained at least in part from the authenticator and includes an indication of whether the user's identity is valid [Sanford: Fig 4, 125 collaboration number, col 7, lines 15-20].

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noble in view of US Pat No 5,115,501 issued to Kerr (hereafter Kerr).

Claim 14:

Noble discloses the elements of claims 1 and 4 as noted above but does not disclose an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information. Kerr discloses an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided

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information is obtained at least in part from the profile information source and includes the profile information [Fig 6]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Noble to include an additional information source that is a user profile information source which provides additional information about the user; the manner of selecting the row includes profile information gathering information which indicates to the profile information source how to gather the profile information; and the provided information is obtained at least in part from the profile information source and includes the profile information as taught by Kerr for the purpose of customization of the search query.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Noble and Sanford and further in view of US Pat No 5,748,890 issued to Goldberg et al (hereafter Goldberg).

Claim 11:

The combination of Noble and Sanford discloses the elements of claims 1, 4 and 5 as noted above but does not disclose an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group. Goldberg discloses an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile information

source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group [user's role, claim 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Noble and Sanford to include an additional information source that is a user profile information source which provides additional information about the user; the information about the user includes a user information retrieval method specification that specifies how the user profile information source provides the additional information; and the access evaluator uses at least some of the additional information to determine membership of the user in the user group as taught by Goldberg for the purpose of providing additional means of authenticating a user within a user's group.

### ***Response to Arguments***

Applicant's arguments filed March 3, 2006 have been fully considered but they are now moot based on above new grounds of rejection necessitated by applicant's claim amendments. However, the following issue is considered below.

#### **Applicant Argues:**

The present application is a U.S. national phase application as provided by 35 U.S.C. § 371 et seq. and claims the priority benefit of Patent Cooperation Treaty application number PCT/US00/17078 filed June 21, 2000 and now expired; Patent Cooperation Treaty application number PCT/US00/17078 claims the priority benefit of U.S. provisional patent application 60/140,417 filed June 22, 1999 and now expired; the present application is also a continuation-in-part and claims the priority benefit of U.S.

patent application 09/720,277 filed March 12, 2001, which is a U.S. national phase application as provided by 35 U.S.C. § 371 et seq. and claims the priority benefit of Patent Cooperation Treaty application number PC-1-\*599/14585 filed June 28, 1999 and now expired; Patent Cooperation Treaty application number 12C-1n/U599/14585 claims the priority benefit of U.S. provisional patent application number 60/091,130 filed June 29, 1998 and now expired; U.S. patent application 09/720,277 is also a continuation-in-part and claims the priority benefit of U.S. patent application 09/034,507 filed March 4, 1998 and now U.S. patent number 6,408,336, which claims the priority benefit of U.S. provisional patent application number 60/039,542 filed March 10, 1997 and now expired as well as U.S. provisional patent application number 60/040,262 filed March 10, 1997 and now expired.

**Examiner Responds:**

The above claimed priority dates will not be granted because above applications do not support the most recent claim amendments: i.e., an interface apparatus for providing information in response to a query of a virtual database table the interface apparatus comprising a virtual database service and an information source.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

March 29, 2006

A handwritten signature in black ink, appearing to read 'E. LeRoux', is written over the typed name and date.